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LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

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August 26, 2005

Captain Raymond Peavy
Homicide Bureau
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

RE: J.S.I.D. File No. 05-0048
L.A.S.D. File No. 005-00679-0378-013

Dear Captain Peavy:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the January 24, 2005, fatal shooting of Kazi Shinda Bell by Los Angeles County Sheriff's Deputy Carlos Lopez. We have concluded that Deputy Lopez acted lawfully in self-defense and in defense of others.

The following analysis is based upon reports prepared by the Los Angeles County Sheriff's Department and submitted to this office by Detective Mitchell Robison and Sergeant Richard Garcia on June 8, 2005. The District Attorney Response Team was notified of the shooting at approximately 2:34 a.m. on January 24, 2005. The District Attorney Response Team, comprised of Deputy District Attorney Michael Petterson and District Attorney Senior Investigator [redacted] responded to the scene. They were given a briefing of the circumstances surrounding the shooting and a "walk-through" of the scene. Compelled statements were considered as a part of this analysis.

FACTUAL ANALYSIS

On January 24, 2005 at approximately 1:18 a.m., Deputies Carlos Lopez and Santino Saavedra were traveling north on Vermont Avenue near 125th Street in the City of Los Angeles in a marked Sheriff's patrol car. They observed [redacted] running northbound on the east side of the street. The deputies then noticed that [redacted] was joined by Kazi Shinda Bell. Together, [redacted] and Bell walked northbound on Vermont from 125th Street.

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Deputy Saavedra, who was driving, illuminated [redacted] and Bell with the patrol car's driver's side spotlight. Deputy Lopez illuminated the two men with the passenger side spotlight.

Bell immediately began to run south towards 125th Street. Both deputies exited their patrol car. As Bell ran past the patrol car he was observed removing a handgun from his waistband. Deputy Lopez ordered Bell to stop running several times. Bell ignored Deputy Lopez's orders and continued running towards 125th Street. As Bell approached the corner of Vermont Avenue and 125th Street, he turned to his right and pointed the handgun at Deputy Lopez. In fear for his life, Deputy Lopez fired four rounds at Bell, striking him once in the head and causing him to fall to the ground.

Deputy Lopez issued a broadcast of the shooting, requesting assistance and emergency aid. Los Angeles County Paramedics responded to the scene and pronounced Bell dead at approximately 1:29 a.m. Deputy Saavedra detained [redacted]

Los Angeles Police Officers [redacted] and [redacted] were patrolling Vermont Avenue at the time of the shooting. The officers observed a Sheriff's patrol car stopped in the northbound lanes of Vermont Avenue with one deputy shining a flashlight at a male lying on the ground. Another deputy was observed detaining a man near the patrol car. When they stopped to provide assistance the officers saw that the male lying on the ground had been shot and that his right hand was lying on his chest holding a handgun. The deputies recovered a .357 caliber handgun from Bell. The handgun contained six live rounds.

Investigators interviewed [redacted] He stated that he was walking north on Vermont Avenue with Bell and, as the two of them approached 125th Street, the deputies pulled up and placed their spotlights on them. [redacted] stated that he quickly placed his hands up in the air, but Bell ran south on Vermont. [redacted] said he heard the deputies ordering Bell to stop and then heard two or three gunshots. [redacted] further identified the .357 revolver recovered from Bell as appearing similar to a revolver that he had observed in Bell's possession on a prior occasion.

Investigators recovered four expended .45 caliber shell casings which were fired from Deputy Lopez' service weapon. They also determined that Bell was a member of the "120 Raymond Avenue Crips" street gang and that the handgun recovered from Bell had been reported stolen on November 16, 2000 to the Broken Arrow Police Department in Oklahoma.

Deputy Medical Examiner Ajay J. Panchal, M.D., concluded that Bell died as a result of a single gunshot wound to the head. The autopsy also revealed the presence of marijuana, phencyclidine and alcohol in Bell's system.

CONCLUSION

California law permits the use of deadly force in self-defense or in defense of others if it reasonably appears to the person claiming the right of self-defense or the defense of others that he actually and reasonably believed he or others were in imminent danger of great bodily injury or death. People v Williams (1977) 75 Cal.App.3d 731.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent injury which appears to be imminent. California Jury Instructions-Criminal 5.30 and 5.32.

When the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v Collins (1961) 189 Cal. App.2d 575.

Deputy Lopez was confronted with a fleeing suspect pointing a gun directly at him. Fearing for his life, he fired four rounds at Bell in self-defense.

We conclude that Deputy Lopez acted lawfully in self-defense and in defense of others when he used deadly force against Kazi Bell. We are therefore closing our file and will take no further action in this matter.

Very truly yours,

STEVE COOLEY
District Attorney

By

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Deputy District Attorney
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c. Deputy Carlos Lopez, serial #[redacted]
Deputy Santino Saavedra, serial #[redacted]